

DHS Report for ORS 183.403 (HB 4106 2016) – OAR 413 Temporary Rules in 2018

Rule #	Caption	Statement of Need – Reason for Action	Finding of Need to Act Promptly and Why a Temporary Rules was Appropriate
413-200-0260, 413-200-0270, 413-200-0272, 413-200-0274, 413-200-0275, 413-200-0276, 413-200-0278, 413-200-0281, 413-200-0283, 413-200-0285, 413-200-0287, 413-200-0289, 413-200-0292, 413-200-0294, 413-200-0296, 413-200-0298, 413-200-0306, 413-200-0308, 413-200-0314, 413-200-0335, 413-200-0348, 413-200-0354, 413-200-0356, 413-200-0358, 413-200-0362, 413-200-0371, 413-200-0379, 413-200-0383, 413-200-0386, 413-200-0390, 413-200-0393, 413-200-0394	Revisions to child welfare foster home certification rules	DHS Child Welfare has revised almost the entire division 200, Foster Home Certification rules. Revisions include various 2017 legislative updates that become effective 01/01/2018, and clarifications and revisions that will improve the administration of child welfare as it relates to children and young adults in foster care.	The Department finds that failure to act promptly by amending the rule will result in serious prejudice to the public interest and children served by the Department. The Department needs to proceed by filing a temporary rule because the public, the Department, will immediately benefit when the Department's rule reflects the obligations of the Department pursuant to statute.
413-070-1000	Changes to child welfare rules due to Foster Children's Sibling Bill of Rights	Oregon Laws 2017 chapter 36 becomes effective January 1, 2018 and this rule needs to be revised in order to be compliant.	The Department finds that failure to act promptly by amending the rule will result in serious prejudice to the public interest and children served by the Department. The Department needs to proceed by filing a temporary rule because the public, the Department, will immediately benefit when the Department's rule reflects the obligations of the Department regarding children who are in foster care who have siblings.
413-020-0000, 413-020-0200, 413-020-0230, 413-020-0233, 413-070-0000, 413-070-0917, 413-070-0934, 413-070-0939, 413-070-0959, 413-070-0969, 413-130-0000, 413-130-0050, 413-130-0070, 413-130-0075	Amending rules relating to guardianship and adoption assistance payments	Federal law links Adoption Assistance and Guardianship Assistance payments directly to state foster care rates. Federal law requires that the amount of the adoption assistance or guardianship assistance payment not exceed the amount the child would receive if in a family foster home. Effective January 1, 2018, for all new Adoption Assistance and Guardianship Assistance applications and renegotiations, the level of care payment, as determined by a CANS screening, will not be automatically added to the adoption assistance or guardianship assistance payment.	The Department finds that failure to act promptly by amending the rule will result in serious prejudice to the public interest and children served by the Department. The Department needs to proceed by filing a temporary rule because the public, the Department, will immediately benefit when the Department's rule reflects the obligations of the Department pursuant to federal law, which requires the amount of the adoption assistance or guardianship assistance payment not exceed the amount the child would receive if in a family foster home. The structure of the negotiations must change by January 1 to be in compliance with federal law.
413-090-0010, 413-090-0150	Changes to foster care and relative caregiver payment rates in child welfare rules	During the 2017 session, the Legislature increased funding for DHS reimbursement to foster parents and relative caregivers. The Department needs to modify its rules to match the required reimbursement levels.	The Department finds that failure to act promptly by amending the rule will result in serious prejudice to the public interest and children served by the Department. The Department needs to proceed by filing a temporary rule because the public will immediately benefit when the Department's rule reflects the obligations of the Department pursuant to the recent requirements of the legislature. The new payment rates go into effect January 1, 2018, and the Department's rules need to reflect the correct funding levels for foster care and relative caregiver payments.
413-120-0735, 413-070-0514, 413-070-0516, 413-120-0000, 413-120-0700	Amending child welfare rules regarding current caretaker and relative caregiver	Effective January 1, 2018, ORS 419A.004, SB 830 (Oregon Laws 2017 Chapter 351) changes the definition of "current caretaker" as it relates to foster parents of children in the care and custody of the Department of Human Services. The amendments require the Department to change its definition of "current caretaker." In addition, the use of a permanency committee is currently required by the Department when a current caretaker or relative caregiver is requesting to be considered as a potential adoptive resource. However, the Department has determined that the purpose of a	The Department finds that failure to act promptly by amending the rule will result in serious prejudice to the public interest and children served by the Department. The Department needs to proceed by filing a temporary rule because the public, the Department, and children served will immediately benefit when the Department's rule reflects the obligations of the Department pursuant to law passed in the 2017 session regarding current caretakers, and revising the permanency process will support more expeditious and efficient analysis of permanent placement options for children in the Department's custody.

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		<p>permanency committee in this situation can be fulfilled in a more efficient and as effective manner, through a staffing. This will benefit the children in the department’s custody.</p>	
<p>413-015-0100, 413-015-0105, 413-015-0115, 413-015-0125, 413-015-0205, 413-015-0211, 413-015-0212, 413-015-0213, 413-015-0220, 413-015-0300, 413-015-0302, 413-015-0305, 413-015-0310, 413-015-0409, 413-015-0420, 413-015-0422, 413-015-0428, 413-015-0440, 413-015-0450, 413-015-0475, 413-015-0480, 413-015-0485, 413-015-0520, 413-015-0535, 413-015-0540, 413-015-0545, 413-015-0555, 413-015-0560, 413-015-0601, 413-015-0604, 413-015-0606, 413-015-0608, 413-015-1100, 413-015-1120, 413-015-1220, 413-015-0620, 413-015-0625, 413-015-0630, 413-015-0640, 413-015-1000, 413-015-1110, 413-015-1210, 413-015-1005, 413-015-1010, 413-015-1015, 413-015-0210, 413-015-0215, 413-015-0415, 413-015-0470, 413-015-0400, 413-015-0445</p>	<p>Adopting, amending, and repealing Child Protective Services (CPS) rules</p>	<p>These rules need to be adopted, amended, repealed, and renumbered and amended immediately for the following purposes:</p> <ul style="list-style-type: none"> • To bring the Department’s policies into compliance with recent changes to the law, including SB 243 (2017), SB 268 (2017), and SB 942 (2017). These bills require various actions in response to reports of abuse that need to be reflected in Department rules by January 1, 2018. • To ensure policy reflects recent leadership decisions regarding responsibility for responding to reports of abuse: screeners who handle reports of abuse need clear direction in rule by January 1, 2018 so that there is no confusion regarding which part of the Department is responsible for immediately evaluating a report of abuse. • To ensure policy reflects recent leadership decisions about best practices for the time lines to complete assessments and when exceptions may be authorized: ensuring safety in CPS assessments and managing that workload is one of the primary responsibilities of the Department and therefore staff need clear direction in rule about leadership expectations. • To provide clear direction to staff and transparent information to the public by ensuring rules are clear, concise, well organized, with updated terminology and no unnecessary words or provisions: changes are made throughout this division of rules to ensure terms are consistent with the law and easy to understand and some organization changes are made to make the rules easier to read and follow and remove unnecessary words and provisions that may cause confusion. <p>These rules changes meet the purposes stated above and therefore are needed to be effective immediately.</p>	<p>The Department finds that failure to act promptly by amending the rule will result in serious prejudice to the public interest and children and young adults served by the Department. The Department needs to proceed by immediately filing temporary rule changes because the public, the Department, and children and young adults served by the Department will immediately benefit when the Department’s rules: reflect the responsibilities of the Department under the law as of January 1, 2018; are in line with Department leadership direction to staff; and are clear and concise for staff and the public to understand.</p>
<p>413-080-0040, 413-080-0050, 413-080-0051, 413-080-0052, 413-080-0054</p>	<p>Amending Child Welfare rules about making monthly contact and monitoring child and young adult safety</p>	<p>These rules need to be amended to ensure compliance with Department-wide changes required by recent legislation, in particular SB 243 (2017). SB 243 is effective January 1, 2018 and requires all appropriate personnel in the Department to collaborate whenever a report of abuse is received on a child or young adult in most substitute care settings. Therefore, the rules that direct caseworkers to respond to safety concerns, including reports of abuse, need to be amended to comply with the new laws, as well as changes to other rules, such as CPS and OAAPI. These changes bring these rules in line with the law and other Department rules.</p>	<p>The Department finds that failure to act promptly by amending these rules will result in serious prejudice to the public interest, the Department, and children and young adults served by the Department. The Department needs to proceed by immediately filing temporary rules because the public, the Department, and children and young adults served by the Department will immediately benefit when the Department’s rules reflect the responsibilities of the Department under the law as of January 1, 2018; are in line with Department leadership decisions and other Department rules; and provide clear guidance to staff and the public impacted by these rules.</p>

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413-215-0000, 413-215-0001, 413-215-0061, 413-215-0086, 413-215-0106, 413-215-0111, 413-215-0136, 413-215-0331	Amending child-caring agency licensing rules to comply with new laws and make other updates	Recent legislation impacted the statutes governing the regulation and oversight of child-caring agencies and therefore the rules governing the Department's processes and procedures and requirements that licensees must meet need to be updated. These changes ensure the Department is in compliance with the law. Additionally, an update is needed to address an issue in which backlogs at the Department's Background Check Unit (BCU) result in delays in a child-caring agency's ability to approve a proctor foster parent, which could result in disruptions to care for a child or young adult. These changes address that issue and therefore are needed immediately.	The Department finds that failure to act promptly by amending these rules immediately will result in serious prejudice to the public interest, the Department, child-caring agencies licensed by the Department, and children and young adults served by child-caring agencies. The Department needs to proceed by filing a temporary rules because the public, the Department, child-caring agencies licensed by the Department, and children and young adults served by child-caring agencies will immediately benefit when the Department's rules are consistent with the law and best practices.
413-030-0000, 413-030-0220, 413-030-0410, 413-030-0445, 413-030-0460	Amending child welfare rules related to youth transitions and independent living	During the 2017 legislative session, the legislature passed HB 2344, which affects certain youth transition services provided by the Department. Several changes are being made to comply with Oregon Laws 2017, chapter 30 (HB 2344). In addition, the Department is updating its rules to accurately reflect the current qualifications for certain youth transitions services.	The Department finds that failure to act promptly by amending the rule will result in serious prejudice to the public interest and children served by the Department. The Department needs to proceed by filing a temporary rule because the public, the Department, will immediately benefit when the Department's rule reflects the obligations of the Department and the requirements of Oregon law, which go into effect January 1, 2018.
413-115-0080	Suspending change to rule title, correcting filing mistake.	This rule change was mistakenly filed as a temporary rule. It needs to be filed as a statutory minor correction.	This temporary rule was originally filed because the title was confusing the field. The rule change should have been filed as a statutory minor correction. This rule is being suspended in order to be filed correctly.
413-070-0516, 413-120-0735	Wrong versions filed 1/1/18. Amending child welfare rules regarding current caretaker/relative caregiver.	The wrong versions of these rules were filed January 1, 2018. Effective January 1, 2018, ORS 419A.004, SB 830 (Oregon Laws 2017 Chapter 351) changes the definition of "current caretaker" as it relates to foster parents of children in the care and custody of the Department of Human Services. The amendments require the Department to change its definition of "current caretaker." In addition, the use of a permanency committee is currently required by the Department when a current caretaker or relative caregiver is requesting to be considered as a potential adoptive resource. However, the Department has determined that the purpose of a permanency committee in this situation can be fulfilled in a more efficient and as effective manner, through a staffing. This will benefit the children in the department's custody.	The wrong versions of these rules were filed January 1, 2018. The Department finds that failure to act promptly by amending the rule will result in serious prejudice to the public interest and children served by the Department. The Department needs to proceed by filing a temporary rule because the public, the Department, and children served will immediately benefit when the Department's rule reflects the obligations of the Department pursuant to law passed in the 2017 session regarding current caretakers, and revising the permanency process will support more expeditious and efficient analysis of permanent placement options for children in the Department's custody.
413-030-0000, 413-030-0410, 413-030-0445, 413-030-0460	Amending child welfare rules related to youth transitions and independent living	Re-filed as temp due to permanent filing error. During the 2017 legislative session, the legislature passed HB 2344, which affects certain youth transition services provided by the Department. Several changes are being made to comply with Oregon Laws 2017, chapter 30 (HB 2344). In addition, the Department is updating its rules to accurately reflect the current	The Department finds that failure to act promptly by amending the rule will result in serious prejudice to the public interest and children served by the Department. The Department needs to proceed by filing a temporary rule because the public, the Department, will immediately benefit when the Department's rule reflects the obligations of the Department and the requirements of Oregon law, which go

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		qualifications for certain youth transitions services.	into effect January 1, 2018. Re-filing as temp due to rule filing error.
413-090-0085	Temporarily amending rules to update the BRS rate table that is incorporated by reference	OAR 413-090-0085 needs to be amended because OHA revised the BRS rate table that the Department has adopted by reference.	The Department finds that failure to act promptly by amending these rules will result in serious prejudice to the public interest, the Department and the welfare of children and youth in Oregon. As DHS has incorporated OHA's BRS rate table into its rules, our rules need to be promptly amended to comport with the rate changes. This will help to ensure access to the needed BRS services for vulnerable youth.
413-015-0210, 413-015-0215, 413-015-0415, 413-015-0470	Amending temporary rules to comply with recent legislation and changes to Child Welfare procedures	These rules are being amended to clarify when a CPS screener or CPS worker must notify or share information with other entities. The rules need to be amended immediately for Department efforts to continue to comply with new laws passed in the 2017 legislative session. Those changes need to be reflected in current rules so that staff and the public have current information about how the Department handles reports of child abuse. These changes ensure the rules reflect current practice.	The Department finds that failure to act promptly by amending these rules will result in serious prejudice to the public interest and children and young adults served by the Department. The Department needs to proceed by immediately filing temporary rule changes because the public, the Department, Department staff, and children and young adults served by the Department will immediately benefit when the Department's rules on Child Protective Services: reflect the responsibilities of the Department under the law as of January 1, 2018; are in line with Department leadership direction to staff; and are clear and concise for staff and the public to understand.
413-215-0121	Amending child-caring agency licensing rule to reflect HB 2903 (2017)	OAR 413-215-0121 needs to be amended because this rule is intended to reflect all standards that govern actions the Department may take against a child-caring agency license. In 2017, HB 2903 passed, which allows the Department to rescind a mandatory suspension or revocation only if certain conditions are met and actions are taken by the Department. The rule needs to be amended to reflect that new requirement. This change meets this need by adding reference to the new statutory language in ORS 418.240(3).	The Department finds that failure to act promptly by amending these rules immediately will result in serious prejudice to the public interest, the Department, child-caring agencies licensed by the Department, and children and young adults served by child-caring agencies. The Department needs to proceed by filing temporary rules because the public, the Department, child-caring agencies licensed by the Department, and children and young adults served by child-caring agencies will immediately benefit when the Department's rules are consistent with the current law regarding what actions the Department is allowed to take in relation to a child-caring agency license.
413-017-0090, 413-017-0110	Suspending temporary rules relating to DCIRTs	Revising rules to align with department practice.	The Department finds that failure to act promptly by suspending these rules will result in serious prejudice to the public interest and the Department because current rules needs to align with Department practice.
413-015-0400 and 413-015-0445	Amending temporary rules to comply with recent legislation and changes to Child Welfare procedures	These rules are being amended by temporary rule as part of the Department's implementation of SB 942 (2017.) The rules need to be amended again immediately because Department efforts to prepare to comply with new laws passed in the 2017 legislative session have changed practices and procedures for Department staff. Those changes need to be reflected in current rules so that staff and the public have current information about how the Department handles reports of child abuse. These changes ensure the rules reflect current law and practice.	The Department finds that failure to act promptly by amending these rules will result in serious prejudice to the public interest and children and young adults served by the Department. The Department needs to proceed by immediately filing temporary rule changes because the public, the Department, Department staff, and children and young adults served by the Department will immediately benefit when the Department's rules on Child Protective Services: reflect the responsibilities of the Department under the law as of January 1, 2018; are in line with Department leadership direction to staff; and are clear

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			and concise for staff and the public to understand.
413-017-0095	Temporary adoption of Critical Incident Response Team rules	These rules are being temporarily adopted because legislation (Or Laws 2017 ch 469) changed the Department's responsibilities under ORS 419B.024.	OAR 413-017 needs to be amended because ORS 419B.024 requires the Department to adopt rules necessary to carry out the provisions of the CIRT statute.
413-030-0000, 413-030-0410, 413-030-0445, 413-030-0460	Relating to requirements for youth transition services	During the 2017 legislative session, the legislature passed HB 2344, which affects certain youth transition services provided by the Department. Several changes were made to comply with HB 2344. In addition, the Department is updating its rules to accurately reflect the current qualifications for certain youth transitions services.	Suspending temporary rule filing to revert to permanent filing on January 16. No language changes have occurred.
413-100-0000, 413-100-0005, 413-100-0010, 413-100-0015, 413-100-0030, 413-100-0060, 413-100-0075, 413-100-0080, 413-100-0090, 413-100-0110, 413-100-0120, 413-100-0125, 413-100-0130, 413-100-0135, 413-100-0150, 413-100-0160, 413-100-0170, 413-100-0180, 413-100-0190, 413-100-0200, 413-100-0210, 413-100-0220, 413-100-0230, 413-100-0240, 413-100-0250, 413-100-0260, 413-100-0270, 413-100-0280, 413-100-0300, 413-100-0310, 413-100-0320, 413-100-0335, 413-100-0345	Clarifying Title IV-E eligibility determinations for children placed for foster care, adoption or guardianship	Revisions bring terminology in line with changes made to foster certification rules and to enhance understanding of the Department's process for ensuring timely and accurate Title IV-E eligibility determinations.	The Department finds that failure to act promptly by amending these rules will result in serious prejudice to the public interest and children served by the Department. The Department needs to proceed by filing a temporary rule because the public, the Department, will immediately benefit when the Department's rule reflects the obligations of the Department pursuant to statute.
413-015-0115, 413-015-0211, 413-080-0050, 413-080-0065	Revising Division 015 and 080 language regarding substance affected infants	Rules were revised to include clarifying language regarding substance affected infants.	The Department finds that failure to act promptly by amending the rule will result in serious prejudice to the public interest and children served by the Department. The Department needs to proceed by filing a temporary rule because the public, the Department, will immediately benefit when the Department's rule reflects the obligations of the Department pursuant to statute.
413-015-0210, 413-015-0415	Revising Division 015 and 080 language regarding substance affected infants	Rules were revised to include clarifying language regarding substance affected infants.	The Department finds that failure to act promptly by amending the rule will result in serious prejudice to the public interest and children served by the Department. The Department needs to proceed by filing a temporary rule because the public, the Department, will immediately benefit when the Department's rule reflects the obligations of the Department pursuant to statute.
413-215-0021, 413-215-0026, 413-215-0081, 413-215-0318, 413-215-0356	Amending rules governing licensing of child-caring agencies	These rules need to be amended immediately to: comply with SB 1525 (2018); reduce the requirement for smaller childcaring agencies to obtain annual financial reviews; ensure all Department statutory authority to ensure sound financial management at child-caring agencies is reflected in licensing rules; and resolve confusion regarding whether proctor foster homes certified by a foster care agency can accept placement of children and young adults from referral sources other than the foster	The Department finds that failure to act promptly by amending these rules will result in serious prejudice to the public interest, the Department, and child-caring agencies licensed by the Department. The Department needs to proceed by immediately filing temporary rules because the public, the Department, and child-caring agencies licensed by the Department will immediately benefit when the Department's rules reflect current law on the requirement to maintain sound financial management of child-caring agencies and provide clear guidance to foster care agencies and proctor foster parents regarding the

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		<p>care agency. These changes address these needs in the following ways:</p> <ul style="list-style-type: none"> • The changes ensure compliance with SB 1525 (2018) by exempting child-caring agencies that provide adoption placement services, but that do not provide care to children and do not receive public funds, from the requirement to provide audited financial statements. • The changes reduce requirements for smaller child-caring agencies by removing the requirement to have financial records reviewed by a certified public accountant every year. This will now only be required upon request, as allowed by ORS 418.255. • All Department authority to ensure sound financial management at child-caring agencies is reflected in Department rules by adding language stating the authority to request an audit, including a forensic audit, at any time to ensure sound financial management as provided by ORS 418.255. • To provide clarity to foster care agencies and proctor foster parents regarding their obligations to maintain compliance with foster care agency rules, new language prohibiting placement of children and young adults from outside referral sources needs to be added. That is done with the amendments to OAR 413-215-0318 and 413-215-0356. 	<p>placement of children and young adults by outside referral sources.</p>
413-090-0010	Child care reimbursement payments for certified families	OAR 413-090-0010 needs to be amended because the Department is moving to aid certified families offset costs for child care.	The Department finds that failure to act promptly by amending the rule will result in serious prejudice to the public interest and children served by the Department. The Department needs to proceed by filing a temporary rule because the public will immediately benefit when the Department’s rule reflects the obligations of the Department pursuant to the recent requirements of the legislature.
413-105-0030	Repairing typo in education rule	413-105-0030 guides the Department in ensuring children or young adults in care are enrolled in a school or educational setting. Correct terminology is needed in this guidance. This filing corrects a typo.	The Department finds that failure to act promptly by amending this rule will result in serious prejudice to the public interest, the Department, and children and young adults served by the Department. The Department needs to proceed by immediately filing temporary rules because the public, the Department, and children and young adults served by the Department will immediately benefit when the Department’s rules reflect the responsibilities of the Department under the law.
413-105-0000, 413-105-0020, 413-105-0040, 413-105-0050, 413-105-0070, 413-105-0080, 413-105-0090	Filing temporary rules pertaining to Department responsibilities relating to education	Per ORS 409.050 and ORS 418.005, the Department is taking steps to provide rule based on the educational needs of children or young adults in care. The Department’s education rules provide guidance surrounding educational needs of children or young adults in care as well as guidance surrounding their rights to educational services, the types of educational services to be provided, payments authorized and special educational needs.	The Department finds that failure to act promptly by amending these rules will result in serious prejudice to the public interest, the Department, and children and families served by the Department. The Department needs to proceed by temporary rule in order to be in compliance with laws recently passed by the Oregon Legislature. The public, the Department, the Oregon Department of Education, and children and families served by the Department will immediately benefit because the Department’s rules will reflect additional

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			rights and responsibilities under state law when the school year starts.
413-015-0200, 413-015-0210, 413-015-0215, 413-015-0225, 413-015-0403, 413-015-0404, 413-015-0405, 413-015-0415, 413-015-0425, 413-015-0432, 413-015-0455, 413-015-0465, 413-015-0470, 413-015-0525, 413-015-0530, 413-015-0550, 413-015-1105, 413-015-1115, 413-015-1125, 413-015-1200, 413-015-1230	Amending child safety language to reflect recent definitions updates	Rule language in the child safety rules must be standardized and cohesive throughout the division. These changes reflect recent updates to the definitions for this division as well as add clarity.	The Department finds that failure to act promptly by amending these rules will result in serious prejudice to the public interest, the Department, and children and families served by the Department. The Department needs to proceed by temporary rule in order to be in compliance with laws recently passed by the Oregon Legislature. The public, the Department, and children and families served by the Department will immediately benefit because the Department's rules will reflect cohesive language.
413-200-0301, 413-200-0305, 413-200-0352, 413-200-0377, 413-200-0388, 413-200-0396	Clarifying language surrounding certified families and responsibilities	Rule language in the certification rules must be standardized and cohesive throughout the division. These changes reflect recent updates to the definitions for this division as well as add clarity.	The Department finds that failure to act promptly by amending these rules will result in serious prejudice to the public interest, the Department, and children and families served by the Department. The Department needs to proceed by temporary rule in order to be in compliance with laws recently passed by the Oregon Legislature. The public, the Department, and children and families served by the Department will immediately benefit because the Department's rules will reflect cohesive language.
413-090-0010	Removing CANS level of care payment reference in authorized payments rule	The CANS level of care payment reference was outdated, as this process changed in January 2018, and CANS level of care isn't included in the payment. This rule needs to be changed immediately.	The Department finds that failure to act promptly by amending this rule will result in serious prejudice to the public interest and children served by the Department. The Department needs to proceed by filing a temporary rule because the public, the Department, will immediately benefit when the Department's rule reflects the obligations of the Department pursuant to statute.
413-015-0415, 413-080-0054	Revising Division 015 and 080 language regarding substance affected infants	Rules were revised to include clarifying language regarding substance affected infants	The Department finds that failure to act promptly by amending the rule will result in serious prejudice to the public interest and children served by the Department. The Department needs to proceed by filing a temporary rule because the public, the Department, will immediately benefit when the Department's rule reflects the obligations of the Department pursuant to statute.
413-080-0054	Clarifying language in monthly contact rule regarding substance affected infants	Language needed further clarification and simplification. The adjustment gives clearer guidance when a healthcare provider identifies a child as a substance affected infant.	The Department finds that failure to act promptly by amending the rule will result in serious prejudice to the public interest and children served by the Department. The Department needs to proceed by filing a temporary rule because the public, the Department, will immediately benefit when the Department's rule reflects the obligations of the Department pursuant to statute.
413-020-0000, 413-020-0200, 413-020-0230, 413-070-0000, 413-070-0917, 413-070-0959, 413-070-0964, 413-070-0969, 413-070-0974, 413-130-0000, 413-130-0050, 413-130-0070, 413-130-0075, 413-130-0110, 413-130-0112, 413-130-0125	Adding clarity or corrections to guardianship and adoption assistance rules	The guardianship assistance and adoption assistance rules need consistent definitions across the divisions as well as clear language as to what actions the Department may take in certain circumstances regarding assistance or CANS screenings.	The Department finds that failure to act promptly by amending the rule will result in serious prejudice to the public interest and children served by the Department. The Department needs to proceed by filing a temporary rule because the public, the Department, will immediately benefit when the Department's rule reflects the obligations of the Department pursuant to statute. The guardianship assistance and adoption assistance rules offer guidance

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			under what Department actions are allowable in certain circumstances regarding payment assistance or CANS screenings and how CANS results affect assistance.
413-015-0115, 413-015-0210, 413-015-0215, 413-015-0415, 413-015-0470	Filing language corrections to CPS rules due to a filing error	Rule language in the child safety rules must be standardized and cohesive throughout the division. These changes correct a filing error.	The Department finds that failure to act promptly by amending these rules will result in serious prejudice to the public interest, the Department, and children and families served by the Department. The Department needs to proceed by temporary rule in order to be in compliance with laws passed by the Oregon Legislature. The public, the Department, and children and families served by the Department will immediately benefit because the Department's rules will reflect cohesive language.
413-010-0720	Removing requirement from "Notice of Founded Disposition" rule regarding form CF 313	Rule language needs to be in sync with the corresponding form. Removing this language reduces confusion.	The Department finds that failure to act promptly by amending these rules will result in serious prejudice to the public interest, the Department, and children and families served by the Department. The public, the Department, and children and families served by the Department will immediately benefit because the Department's rules will reflect language that is in sync with the corresponding form.
413-090-0010	Correcting a filing error in 090-0010	Due to a filing error, previously filed language was lost. This amendment rectifies that error.	This language must be added back in because the Department finds that failure to act promptly by amending the rule will result in serious prejudice to the public interest and children served by the Department. The Department needs to proceed by filing a temporary rule because the public, the Department, will immediately benefit when the Department's rule reflects the obligations of the Department pursuant to statute.
413-030-0220, 413-030-0410	Implementing expansion of ETG services in Youth Transitions rules	Youth Transitions rules provide guidance on youth aging out of foster care, highlighting how care may continue for those above age 18 or how youth are eligible for certain funding assistance. The Department needs to modify its rules to match recently passed legislation.	This change is urgent as it applies to Education and Training Grant (ETG) applications currently being received for the 2019-2020 academic year. There is also a correction being made to the rules surrounding remaining in substitute care after age 18. Those working with current and former foster youth and young adults eligible for Chafee ETG or remaining in foster care after age 18 will benefit from these rules. The Department finds that failure to act promptly by amending the rules will result in serious prejudice to the public interest and children served by the Department. The Department needs to proceed by filing temporary rules because the public will immediately benefit when the Department's rules reflect the obligations of the Department pursuant to the recent requirements of the legislature.
413-015-0305	Temporary amendment to cross reporting rule	This change should result in a considerable decline in the amount of cross reports currently being made to law enforcement jurisdictions where the alleged abuse did not occur, subsequently bringing their attention to the reports that require their attention.	The Department finds that failure to act promptly by amending the rule will result in serious prejudice to the public interest and children served by the Department. The Department needs to proceed by filing a temporary rule because the public, the Department, will immediately benefit when the Department's rule reflects the obligations of the Department. With the centralization of the screening function in

DHS Report for ORS 183.403 (HB 4106 2016) – OAR 413 Temporary Rules in 2018

Rule #	Caption	Statement of Need – Reason for Action	Finding of Need to Act Promptly and Why a Temporary Rules was Appropriate
			Oregon Child Welfare, the change is not only necessary, the already increasing volume requires the change to be immediate to ensure the response to reports of child abuse is not delayed.
413-015-0210	Adjusting criteria to assign rule regarding likelihood of future Child Welfare interventions	The ultimate goal of this change is to ensure Child Welfare is serving those children and families at greatest risk. This rule provides guidance to screeners on how to assess the likelihood of another Child Welfare intervention on a case-by-case basis.	The Department finds that failure to act promptly by amending the rule will result in serious prejudice to the public interest and children served by the Department. The Department needs to proceed by filing a temporary rule because the public, the Department, will immediately benefit when the Department's rule reflects the obligations of the Department. This change is impacting a limited number of screeners because this is the first stage of what will be a statewide rollout when the screening function in Oregon centralizes April 8, 2019. The soft implementation will allow for data to be collected and used to impact how the larger implementation occurs.
413-070-0800, 413-070-0830, 413-070-0840, 413-070-0855, 413-070-0860, 413-070-0870, 413-070-0880	Temporary amendment to visit and contact rules	Field staff is required to use the new 831 Visit and Contact Form and this update supports that change. Rule updates also support a change in the law addressing the rights of children to have visits with their siblings. It also updates rule regarding engagement with families around visits with their children and describes the agency's responsibilities surrounding this body of work.	The Department finds that failure to act promptly by amending these rules will result in serious prejudice to the public interest and children served by the Department. The Department needs to proceed by filing a temporary rule because the public, the Department, will immediately benefit when the Department's rule reflects the obligations of the Department pursuant to statute.
413-100-0075	Temporary amendment to Division 100 Eligibility Status rule	This temporary rule is being filed to facilitate the implementation of Family First Prevention Services Act provisions. The citation 471(a)(20)(D) of the SSA is being added to 413-100-0075 in accordance with FFPSA requirements that children are not Title IV-E eligible when placed in Child Care Institutions (CCI) when the CCI has not met the requirement that all employees have approved fingerprint-based background checks.	<p>This temporary rule is filed to meet the requirements of the Family First Prevention Services Act (FFPSA) that was signed into law in February 2018. This rule is filed to bring the Department's Title IV-E State Plan into compliance with the FFPSA requirement that all employees of Child Care Institutions have approved fingerprint-based background checks prior to working with children and youth. Our approvable plan, including procedures and filed rules, must be submitted to the Administration for Children and Families no later than 12/31/18.</p> <p>The Department finds that failure to act promptly by amending the rule will result in serious prejudice to the public interest and children served by the Department. The Department needs to proceed by filing a temporary rule because the public, the Department, will immediately benefit when the Department's rule reflects the obligations of the Department.</p>